

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEREMY MALONE,

Defendant.

No. 09-30142-DRH

ORDER

HERNDON, Chief Judge:

This matter was referred to United States Magistrate Judge Donald G. Wilkerson for the specific purpose of conducting a change of plea for Defendant Malone, pursuant to **28 U.S.C. § 636, LOCAL RULE 72.1(b)(2)** and Defendant Malone's consent (Doc. 37). Pursuant to **FEDERAL RULE OF CRIMINAL PROCEDURE 11**, the change of plea hearing was held on April 12, 2010 (Doc. 36). During the change of plea, Defendant Malone pleaded guilty to the Indictment, conspiracy to distribute and possess with intent to distribute 1,000 kilograms or more of marijuana, following a thorough colloquy with Judge Wilkerson. Thereafter, Judge Wilkerson issued a Report and Recommendation ("the Report") recommending that the Court accept Defendant Malone's plea of guilty (Doc. 40).

In accordance with **28 U.S.C. § 636(b)(1)(B)**, the parties were allowed fourteen days to file written objections. As of this date, neither party has filed an objection. Therefore, the Court **ADOPTS** the Report in its entirety. Thus, it is the finding of the Court in the case of *United States v. Jeremy Malone*, that Defendant

Malone was fully competent and capable of entering an informed plea, that he was aware of the nature of the charges and the consequences of the plea, and that the plea of guilty was a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offenses. Accordingly, the Court **ACCEPTS** Defendant Malone's guilty plea and **ADJUDGES** him **GUILTY** on Count 1 of the Indictment. The Court **REMINDS** the parties that this matter for sentencing on July 23, 2010 at 9:00 a.m.

IT IS SO ORDERED.

Signed this 30th day of April, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**